

ENVIRONMENTAL

NO. 64769-E

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JAN 13 1999

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 13 1999

The applicant **Bently Nevada Corporation**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **underground**.
2. The amount of water applied for is **0.089** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **environmental purposes**.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **within the SW¼ NE¼ of Section 6, T13N, R20E, MDM or at a point from which the NW corner of said Section 6 bears N 65° 03' 37" W, 3322.39 feet.**
6. Place of Use **See Exhibit A**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **drilled well and piping to air stripping tower.**
9. Estimated cost of works **\$20,000**
10. Estimated time required to construct works **One (1) year.**
11. Estimated time required to complete the application of water to beneficial use **environmental permit will cease to exist upon termination of clean up activity as determined by N.D.E.P.**
12. Remarks: **This environmental control well is part of a remedial measure required by N.D.E.P. Groundwater will be extracted from the shallow aquifer and treated by air stripping.**

By **s/B J Vasey - Agent**
P.O. Box 1120
Minden, NV 89423

Compared dl/cms dl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This environmental permit is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of this measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. The State retains the right to regulate the use of water granted herein at any and all times.

This environmental permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this environmental permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This environmental permit is issued pursuant to the provisions of NRS 533.4375.

Within 30 days after the completion of the project, the permittee shall notify the State Engineer of such completion and all wells shall be plugged and abandoned in accordance with Chapter 534 of the Nevada Administrative Code.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.089 cubic feet per second, but not to exceed 64.43 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

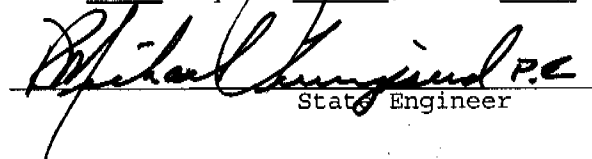
ENVIRONMENTAL

* The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection.

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 25th day of March, A.D. 1999


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

EXHIBIT A
PROPOSED PLACE OF USE

QUESTION 6

SECTION 5, T.13N., R.20E., M.D.M.

SE ¼ NW ¼	40.00 AC
W ½ NW ¼	80.37 AC

SECTION 6, T.13N., R.20E., M.D.M.

NE ¼ NE ¼	40.35 AC
S ½ NE ¼	80.00 AC
SE ¼	160.00 AC
W ½	300.70 AC

SECTION 7, T.13N., R.20E., M.D.M.

NE ¼	160.00 AC
N ½ SE ¼	80.00 AC

SECTION 8, T.13N., R.20E., M.D.M.

W ½ NE ¼	80.00 AC
NW ¼ SE ¼	40.00 AC
N ½ SW ¼	80.00 AC
S ½ NW ¼	80.00 AC

SECTION 31, T.14N., R.20E., M.D.M.

W ½	292.73 AC
-----	-----------

SECTION 36, T.14N., R.19E., M.D.M.

E ½ E ½	160.34 AC
---------	-----------

TOTAL	1674.49 AC
--------------	-------------------